

## PROFESSIONAL RESPONSIBILITIES OF DEPARTMENT FORESTER

5453

(No. 3 June 1991)

The following is the Director's view of how each of the CDF's RPFs should act while reviewing a timber-harvesting plan. The necessity for this statement results from the adoption of regulations (14 CCR § 896-903.2) by the Board of Forestry to comply with the requirements of Senate Bill 886, Chapter 930, Statutes of 1977.

A plan accepted for filing should normally be presumed to reflect the professional judgment of the RPF that the plan best meets the "while giving consideration" (as defined in 14 CCR § 895.1) test specified in 14 CCR § 897. This test obligates both the RPF preparing the plan and the CDF RPF reviewing the plan. Each plan reviewer must weight the economic as well as the environmental benefits of feasible alternatives. If a CDF RPF disagree with the RPF who prepared the plan, he/she must indicate why the alternative suggested is better in carrying out the "while giving consideration" test.

If a member of the review team challenges the professional judgment of the RPF who prepared a plan, that member must explain his/her reasons. The review team member must indicate those alternatives permitted by the rules which better meet the "while giving consideration" test. The CDF RPF shall carefully consider the opinions expressed by a review team member when making a recommendation on a plan.

The Board of Forestry regulations specify that only those alternatives allowed by the rules may be required by the CDF RPF to find a plan in conformance. Additional suggestions may be made to improve the quality of the plan, but they may not be required. The rules are broad enough in guidance that the difference between a requirement and a suggestion is difficult to distinguish. Therefore, CDF RPFs should be careful in recommending mitigation since it often is not clear whether the mitigation is a requirement or suggestion. It is necessary and presumed that an RPF will submit a plan which reflects a reasonable application of the "while giving consideration" test. This presumption is necessary if CDF's RPF is to reaffirm this judgment. If CDF's RPF believes there are better alternatives, the RPFs should attempt to resolve any differences by working together.

### CHAIRPERSON TASKS

5453.1

(No. 3 June 1991)

The chairperson tasks are described in 14 CCR § 1037.5(c). The chairperson's recommendation shall not include any personal opinion of the chairperson or review team members about laws, regulations, the review process, or timber operators, or other comments, which do not assist the Director in determining if THPs conform to the rules of the board or help in evaluating potential environmental impacts of proposed timber operations. The chairperson must consider the views and opinions of review team members in determining if appropriate alternatives have been included in the THP [CCR § 1038(h)].

**FORMS AND/OR FORMS SAMPLES: RETURN TO ISSUANCE HOME PAGE FOR  
FORMS/FORMS SAMPLES SITE LINK.**

[\(See next section\)](#)

[\(See Table of Contents\)](#)